

PROVIDING FOR THE CONSIDERATION OF H.R. 3892, THE
ENGLISH LANGUAGE FLUENCY ACT

AUGUST 4, 1998.—Referred to the House Calendar and ordered to be printed

Mr. GOSS, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 516]

The Committee on Rules, having had under consideration House Resolution 516, by a non-record vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 3892, the “English Language Fluency Act” under a modified open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Education and the Workforce.

The rule provides for a 3 hour limit on the amendment process, after which no further amendment shall be in order except those printed in the Congressional Record, with each further amendment and all amendments thereto to be debatable for 10 minutes equally divided and controlled by a proponent and an opponent.

The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute now printed in the bill as an original bill for purpose of amendment, which shall be considered as read.

Also, the rule provides for the consideration of the (manager’s) amendment numbered 1 printed in the Congressional Record if offered by Representative Riggs or his designee, which shall be considered as read, shall not be subject to amendment or to a division of the question, and shall be debatable for 10 minutes equally divided between the proponent and an opponent. If adopted, the amendment is considered as part of the base text for further amendment purposes.

The rule further provides that after the disposition of the amendment numbered 1, it shall be in order to consider the amendment

numbered 2 printed in the Congressional Record if offered by Representative Riggs or his designee, which shall be considered as read, and including all amendments thereto, shall be debatable for 30 minutes equally divided between the proponent and an opponent.

The Chair is authorized to accord priority in recognition to Members who have preprinted their amendments in the Congressional Record.

The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce votes to five minutes on a postponed question if the vote follows a fifteen minute vote.

Finally, the rule provides one motion to recommit, with or without instructions.

SUMMARY OF AMENDMENTS MADE IN ORDER UNDER THE RULE (SUMMARIES PROVIDED BY THE COMMITTEE ON EDUCATION AND THE WORKFORCE)

Summary of Manager's Amendment

The Managers Amendment makes several changes to H.R. 3892 as follows.

1. Adds a 5-year declining hold-harmless so that States don't experience a dramatic decrease during the transition from a competitive grant to a formula grant program. The hold-harmless would decrease over 5 years as follows: 100 percent; 100 percent; 95 percent; 90 percent; 85 percent.

2. Provides additional funds, through a separate authorization, to States for school districts heavily impacted by large numbers of limited English proficient students and immigrant children and youth.

3. Adds to the list of approved local activities allowing funds to be used for tutoring programs for limited English proficient and immigrant children and youth that provide early intervention services to prevent such children from dropping out of school.

4. Makes two changes to the evaluation section to clarify that progress be determined by both the number and percentage of children having attained mastery in English at the end of the school year; and outline the design for measures to evaluate the English language skills of students, based on the grade of the child.

Summary of Riggs No. 2 Amendment

The amendment modifies the application section of H.R. 3892 to permit States to approve applications from eligible entities only if they are not in violation of any State law, including State constitutional law, regarding the education of English language learners.